

REGULAR CITY COUNCIL MEETING

JUNE 3, 1985

PRESENT

Grant S. Nielson	Mayor
Don Dafoe	Council Member
Gayle Bunker	Council Member
Ruth Hansen	Council Member

ABSENT

Neil Dutson	Council Member
Craig Greathouse	Council Member

OTHERS PRESENT

Jim Allan	City Manager
Warren Peterson	City Attorney
Dorothy Jeffery	City Recorder
John Quick	City Engineer
Neil Forster	Public Works Director
Doyle Bender	City Treasurer
Max Wood	Parks & Recreation Director
Roger Young	Chief of Police
Diane Hill	Delta High School Counselor
Warren Jensen	Millard County Commissioner
Martin Ludwig	City Resident

Mayor Grant Nielson being present called the meeting to order at 7:00 p.m. Dorothy Jeffery, Delta City Recorder, being present acted as secretary.

Mayor Nielson stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body located at 76 North 200 West, and was provided to the Millard County Chronicle Progress, the Millard County Gazette, the local radio station KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a Regular City Council Meeting held May 13, 1985, were presented for the Council's consideration and approval. Following a brief discussion of the minutes, Council Member Gayle Bunker MOVED that the minutes be approved as corrected. Council Member Ruth Hansen SECONDED the motion. Mayor Nielson asked if there were any comments or questions regarding the motion. There being none, he called for a vote on the motion. The motion passed unanimously.

The proposed minutes of a Special City Council Meeting held May 22, 1985, were presented for the Council's consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED the minutes be approved as presented. Council Member Ruth Hansen SECONDED the motion. Mayor Nielson called for a vote on the motion, which passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the list of accounts payable which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Don Dafoe MOVED the accounts payable be approved for payment as listed. The motion was SECONDED by Council Member Gayle Bunker. Mayor Nielson asked if there were any further questions or comments regarding the accounts payable. There being none, he called for a vote on the motion, which passed unanimously.

MAYOR GRANT NIELSON: DISCUSSION AND APPOINTMENT OF PLANNING AND ZONING MEMBERS

Mayor Grant Nielson informed the Council that Patricia Thomas and Bruce Curtis, who have been members of the Delta City Planning and Zoning Commission, have both resigned effective June 1, 1985. Mayor Nielson further stated he had met with Jack Fowles, Chairman of the Planning and Zoning Commission, and Craig Greathouse, Council Member over the Planning and Zoning Commission, and discussed possible replacements for the two vacancies. Mayor Nielson then recommended the Council appoint Roger Bliss and Kim Christensen to fill those vacancies. Following a brief discussion of the appointments, Council Member Gayle Bunker MOVED the Council appoint Roger Bliss and Kim Christensen as members of the Delta City Planning and Zoning Commission for a four year term effective June 3, 1985. The motion was SECONDED by Council Member Ruth Hansen. Mayor Nielson asked if there were any further comments or questions concerning the appointments. There being none, he called for a vote on the motion. The motion passed unanimously.

CITY MANAGER JIM ALLAN: UPDATE OF CEMETERY ROAD PROJECT

Mayor Nielson asked City Manager Jim Allan to report the status of the proposed cemetery road project. City Manager Jim Allan reviewed with the Council the following letter dated June 3, 1985, received from Millard County Commissioner Warren Jensen:

Dear Mayor Nielson:

Please be advised that the Millard County Commission discussed the City's participation on the road just south of the Delta cemetery. Based on the engineer's estimate to construct and overlay this road, the City's portion is \$24,391.00. This engineering estimate includes using material from Russell Greathouse's pit, which we hope is adequate. The estimate also includes using time and one-half rates for

salaries and benefits and also pro-rating our costs for fuel, maintenance and overlay materials. As stated, the above figure is only an engineer's estimate. There is no money allocated for contingencies or cost overruns. The County will not be responsible for any such overruns if they occur. In addition, the City must be responsible for securing all deeds and titles necessary to provide the proper right-of-way. Please also be advised that your pro-rate share for labor, fuel and overlay materials must be paid for directly by you so as not to create a budgetary problem for Millard County. This information was discussed in our meeting in Delta on Monday, June 3, 1985, and must be approved in our regular commission meeting in Fillmore. If you have any questions regarding any of this information, please don't hesitate to contact me before you need to take action. We appreciate your support in this matter.

Sincerely,

Warren E. Jensen
Millard County Commission

Following a review of the above letter, Mayor Nielson recognized Millard County Commissioner Warren Jensen, who was in attendance at the meeting, and invited him to offer input to the discussion of the proposed cemetery road project. City Manager Jim Allan stated he had spoken to Lee Roper, Millard County Road Superintendent, and was told that the cost per man hour will be approximately \$13.50. This includes benefits. The project will require 13 men for approximately 3 or 4 days, with a total labor cost of approximately \$6500.00. Mr. Allan stated that these figures are an estimate proposed by Millard County's engineer, Sunrise Engineering. He then asked John Quick, Delta City's Engineer, to address the issue with the Council.

Mr. Quick said he had reviewed the figures and stated that in his opinion, the numbers were reasonable. He said, however, there is some information that is not available at the present time; for example, the exact grade and how much cut and fill will be involved. The numbers seem adequate for the type of surface that is proposed for the project, he said. However, the unknowns make it hard to estimate the cost. He said the fact that Russell Greathouse is going to supply the material for the fill from his gravel pit at no cost to the City or County will help keep the cost of the project down.

Commissioner Jensen said there is a possibility that it may be cheaper to get the fill from the Millard County pit, depending on what the material is at the Greathouse pit. It may take more of the material than it would of the crushed rock. He said that if the crushed rock could be done cheaper, Millard County will want to use the rock, but then there would be the cost of crushing the rock. Commissioner Jensen said it takes 3 or 4 inches of crushed rock for the same results as 5 or 6 inches of the pit run gravel, according to the Millard County Engineer.

There was some discussion of (1) closing the road for a week so the project could be completed in a week's time; (2) using material of the existing road for a road base; (3) restriction of large truck traffic on the road after the completion of the project; and (4) one chip sealing to be done this year; and (5) Delta City will have to budget for the second chip sealing in next year's budget.

Council Member Don Dafoe asked whether Millard County intended to improve the present Millard County road in the vicinity of the stock show barn at the railroad crossing. Commissioner Jensen said the budget as presented in the June 3, 1985 letter does not include such improvement, except to straighten curves around Millard County Junior Livestock Show barn. Mayor Nielson noted that the City would benefit by reducing dust over the City. Commissioner Jensen said it would provide an alternative for traffic otherwise using Delta's Main Street. City Manager Jim Allan asked if Millard County intended to impose a load limit on the road. Commissioner Jensen said that the road was not designed for heavy truck loads. City Engineer John Quick was asked for his opinion. He said the 8 inches of base with 3 inches of surface material should handle reasonably heavy truck loads, but truck traffic should be restricted.

Following further discussion of the issue, Council Member Gayle Bunker MOVED to instruct Attorney Peterson to meet with Millard County Attorney Steve Jackson and prepare an agreement between Delta City and Millard County to work together on the cemetery road project, and hire Millard County to supply the manpower required for the project. The motion was SECONDED by Council Member Don Dafoe. Mayor Nielson asked if there were any further comments or questions regarding the motion. There being none, he called for a vote on the motion. The motion passed unanimously.

CHIEF ROGER YOUNG: DISCUSSION OF ANIMAL CONTROL SERVICE OPTIONS AVAILABLE FOR DELTA CITY

Mayor Nielson asked Delta City Chief of Police, Roger Young, to address the issue of the animal control in Delta City. Chief Young reviewed the following letter dated June 3, 1985, he had presented to Jim Allan:

TO: Jim Allen, City Manager
FROM: Roger J. Young, Chief of Police
RE: Animal Control

As per our conversation on May 17, 1985, this letter is being submitted to you in regards to the problem of Animal Control in Delta City.

I attempted to make contact with a Daryl Phillips on Friday, May 17, 1985. He has advised the City that he would be interested in providing an animal control service for Delta City. I was unable to make contact with him on this date after several attempts. I again tried to make contact with him on Saturday and Sunday and this again met with negative results. I was able to

make contact with his wife on Monday, May 20, 1985 and I was informed that Mr. Phillips works from 5:30 am to approximately 6 pm during the week. If I was to make contact with him it would have to be after 6 pm. I can see this as a problem if we needed to have the service of the animal control officer during the hours that Mr. Phillips were to be working. Our officers would have to still respond and take the animal to the West Millard Animal Hospital for impound. Also a problem arises of disposing of the animal if it should not be claimed. If Mr. Phillips was to dispose of the animal through a lethal injection, he would then have to take the animal to the Animal Hospital to have this done.

The following are the prices that Mr. Phillips quoted to our department secretary for his services:

Boarding Fees	\$4.50 a day for licensed dogs
	\$3.00 a day for unlicensed dogs
5-10 day notification period to pick up the animals	

I also made contact with Michelle Nielson at the West Millard Animal Hospital to determine what services they could render. Mrs. Nielson advised me that they would be willing to work with our department on the boarding of the animals that are picked up. Mrs. Nielson stated that they would consider leasing part of their kennel to the City for the sole purpose of housing the animals picked up. However, the Police Department would have to pick up the animals and take them to the kennel as the Nielson's feel that there would not be enough money made to warrant them taking time away from their business to go out and pick the animals up.

If this would be the case, then our officers would need to have a vehicle equipped with a cage so they could respond to pick up the animal and transport it to the kennel. This vehicle would have to be available to the officers 24 hours a day so they could respond immediately to the call. Mrs. Nielson said that our department could have a key to the Animal Hospital so the officers could have access to the building at any time. Mrs. Nielson stated that the cost of the service would be as follows:

Impound Fee	\$5.00 per animal
Boarding Fee	\$3.00 a day
Euthanasia	\$7.00 for normal size dog
	\$10.00 for large dog

(This is the lethal injection given to the animals to dispose of them.)

Mrs. Nielson also stated that the facilities are open Monday-Friday from 9 am to 5 pm for people to pick up their animals. She also stated that in case of an emergency that she would be available on a Saturday to release an animal.

Another option to this problem would be to get together with Millard County, to determine if they would join together with Delta City to provide funds to hire a person to be an Animal Control Officer for this side of the county. Mr. Nielson, from the Animal Hospital, has advised me that if there was enough money available for his operation, that he would employ a person to provide the Animal Control Services for Delta City and Millard County.

After considering the options that are available to us, I feel that if Delta City and Millard County could possibly get together and fund an Animal Control Officer, this would be the program that would benefit all concerned. This option would be the best in my opinion, as it would not interfere with the normal duties of the officers in the field. This option would allow to have an Animal Control Officer available to respond upon call to handle the situation without having to wait for an officer to find a vehicle in which to place the animal after capture. Having to take an officer off of the street to handle an animal complaint would be a waste of manpower and time. I feel that this option should be examined to see if it would be feasible for this type of operation to be implemented.

My second recommendation would be for Delta City to equip a vehicle that would be available to the Officers on a 24 hour basis, so they could respond to an animal complaint and impound the animal and transport it to the animal hospital for housing.

My third recommendation would be to contract with a private citizen to handle the animal complaints. I feel that this option would be the least acceptable because of the fact that the person would most likely be employed and his availability would be limited. This would place us in the same situation as before. We would still have to respond to the animal complaints when the citizen was unavailable.

COST ANALYSIS

This cost analysis is based on an average of eight dogs impounded per month for a twelve month period.

Daryl Phillips (Private Contract)

Boarding Fees:	4 licensed dogs for 4 days	
	@ \$4.50 each per day	72.00
	4 unlicensed dogs for 4 days	
	@ \$3.00 each per day	48.00
Destruction:	6 dogs to be destroyed	
	@ \$7.00 each	42.00
	Monthly Total	162.00
	X	12
	Per Year	1,944.00

This cost estimate does not reflect any type of reimbursement for mileage as it was not available at this time.

DELTA CITY OFFICERS PICKING UP DOGS
WITH HOUSING AT ANIMAL HOSPITAL

Impound Fee:	8 dogs @ \$5.00 each	40.00
Boarding Fee:	8 dogs for 4 days	
	@ \$3.00 per day	96.00
Destruction:	6 dogs to be destroyed	
	@ \$7.00 each	42.00
	Monthly Total	178.00
	X	12
	Per Year	2,136.00

This cost estimate does not include the cost of a lease agreement if that is what is decided upon. At this time, it has not been decided to lease space to Delta City or to provide it for the service.

Animal Control Officer
Delta, Utah 84624

Delta City Council:

Concerning Delta City Animal Control for the month of
March, 1985.

Dog Tags Sold: 6 Amount: \$42.50
Dogs Picked Up: 10
Dogs Claimed: 2

Charges:

Retainer fee	300.00
Destruction: 8 dogs @ \$5.00 each	40.00
Kennel fees @ \$2.00 a day per claimed dog	6.00
Kennel fees @ \$2.00 a day per unclaimed dog	20.00
Impound fees: 2 @ \$10.00; 2 a dog	10.00
Mileage	20.00
TOTAL ..(Monthly).....	396.00
	x 12
PER YEAR	\$4,752.00

Following a brief discussion of the aforementioned letter, Council Member Gayle Bunker MOVED to authorize Chief Roger Young and the Delta City Police Department to work with Dr. H. Nielson as outlined in the above letter for the present time and research the possibility of having a special trailer built with an animal cage on it for the purpose of transporting the dogs. Chief Young will report back to the Council his findings regarding the animal trailer. The motion was SECONDED by Council Member Ruth Hansen. Mayor Nielson asked if there were any further comments or questions regarding the motion. There being none, he called for a vote on the motion. The motion passed unanimously.

PARKS & RECREATION DIRECTOR, MAX WOOD: SELECTION OF MARSHALL OF THE DAY FOR 4TH OF JULY CELEBRATION

Mayor Nielson requested Parks and Recreation Director, Max Wood, addressed the selection of a marshall of the day for the July 4 celebration. Mr. Wood told the Council the selection committee had chosen three names to be considered: LaClede Teeples, Frank Lowder, and Reed Wood. He noted that all three of these gentlemen are long time residents of Delta City. It was the opinion of the Council that each of the three men qualified for the honor of being marshall of the day; however, after a general discussion of the issue, Council Member Gayle Bunker MOVED to select LaClede Teeples as marshall of the day for the 4th of July celebration. The motion was SECONDED by Council Member Ruth Hansen. Mayor Nielson asked if there were any further comments or questions regarding the selection. There being none, he called for a vote on the motion. The motion passed unanimously.

OFFICER RALPH STONEKING/DIANE HILL: REPORT ON PROPOSED DRUG AND ALCOHOL PREVENTION SEMINAR

Mayor Nielson asked Delta City Police Sergeant Ralph Stoneking to present to the Council the information concerning the seminar on drug and alcohol prevention that Mrs. Diane Hill and Sgt. Stoneking were requesting to attend. Sgt. Stoneking explained that the school is being held in Missoula, Montana, and in researching this matter it has been shown that this particular seminar is one of the most accredited schools on this subject. He said Delta City and Delta High School have a very serious juvenile drug and alcohol problem. Sgt. Stoneking informed the Council that in the last 12 months, there have been 60 alcohol related arrests and 26 drug related arrests of teenagers. For a community of Delta's size, this is a very serious situation, he said. Sgt. Stoneking reported that it is believed that 50% of our youth are using alcohol almost weekly, and 10% twice or more weekly. Sgt. Stoneking said that the purpose of he and Mrs. Hill attending the seminar is to learn more about prevention of abuse, rather than waiting for the problem to surface and hoping for a cure. The subjects that will be taught at the seminar are alcohol and drug addiction; adolescent use, abuse and dependency; family involvement; families, parents, school and agency professionals; children in abusing and harmful dependent families; assessment and intervention techniques; treatment and after care process; the role of group process; making a school program work and the necessary program components; and working together helping professional educator's, community volunteers and parents. This seminar begins on a Monday morning at 8:00 am and goes through Friday evening. There will be many evening classes available throughout that week. The tuition for the school is \$400.00. The lodging will be approximately \$40.00 each per night. The total cost of the seminar is approximately \$1,000.00 each. The funding for this seminar is from funds received by the City from the alcohol and drug assessments in driving under the influence of alcohol (DUI) cases and from DUI enforcement grants. These monies can only be expended for alcohol related programs.

Following further discussion regarding the issue, Council Member Don Dafoe MOVED to authorize the expenditure of the alcohol rehabilitation money for the attendance by Diane Hill and Sgt. Ralph Stoneking at the community intervention workshop to be held in Missoula, Montana. Council Member Ruth Hansen SECONDED the motion. Mayor Nielson asked if there were any further questions or comments regarding this seminar and expenditure. There being none, he called for a vote on the motion. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: PAYMENT REQUEST FOR DAVE HOUSTON CONSTRUCTION COMPANY ON THE WELL PUMPHOUSE BUILDING

Mayor Nielson asked City Engineer John Quick if he would address the request for payment from Houston Construction Company for the work completed on the well pumphouse building at the "yard well". City Engineer John Quick presented the following documentation regarding the payment request:

Construction of water service building: \$39,475.00

Mr. Quick then presented a change order number 1 for construction of a new pump pedestal in the amount of \$450.00 and number 2, install electrical conduit and additional electrical outlets and telephone outlet boxes as directed, furnish and install concrete drive slab in the amount of \$1632.87, for a total change order amount of \$2,082.87, bringing the total of the payment request to \$41,557.87. Following a brief discussion of the payment request, Council Member Don Dafoe MOVED to authorize payment of \$41,557.87, which includes the change order, to Dave Houston Construction Company for the work completed on the well pumphouse building. The motion was SECONDED by Council Member Gayle Bunker. Mayor Nielson asked if there were any questions regarding the expenditure or the motion. There being none, he called for a vote on the motion. The motion passed unanimously.

PUBLIC WORKS DIRECTOR, NEIL FORSTER: PAYMENT REQUEST FOR STATE PAINTING, PAINTING OF ELEVATED STORAGE TANK

Mayor Nielson asked Public Works Director Neil Forster to present the payment requests from State Painting Company for the painting of two water storage tanks. Mr. Forster presented the following documentation for the payment request from State Painting Company:

1. 0.5 million gallon tank total amount \$23,489. Ten percent for the work completed to date is \$2,348.90.
2. The elevated tank, \$14,964.00; 100% complete. Total amount requested is \$14,964.00.
3. The safety climb, total amount \$4,803.00. There has been no work completed on this to date; therefore, there is no payment request made.

The total of the amount of the project is \$43,256. The amount of this request is \$17,312.90, with a 10% retention of \$1,731.29, making the amount requested \$15,581.61.

Following a brief review of the payment request, Council Member Ruth Hansen MOVED to approve payment of the \$15,581.61 to State Painting Company for work completed to date on the painting of two water storage tanks. The motion was SECONDED by Council Member Gayle Bunker. Mayor Nielson asked if there were any further comments or questions regarding the motion. There being none, he called for a vote on the motion. The motion passed unanimously.

CITY MANAGER JIM ALLAN: CONSIDERATION AND DISCUSSION OF COPY MACHINE FOR DELTA CITY OFFICE

Mayor Nielson asked City Manager Jim Allan to address the proposed purchase of a copy machine for the Delta City offices. Mr. Allan reviewed with the Council a comparison chart of plain paper copiers. The chart had been delivered to each Council Member two days prior to the meeting for their review.

Mr. Allan reviewed with the Council the pros and cons of the different copiers such as reduction, enlargement, two-sided copying, edge to edge copying, etc. Following a general discussion of the copiers and the features of each, Council Member Don Dafoe stated he would like additional information regarding the Xerox 1048 prior to any Council action being taken. Council Member Gayle Bunker MOVED the matter be tabled until the next regular City Council meeting, thus allowing time for further research and information to be presented to the Council on the copy machines. The motion was SECONDED by Council Member Don Dafoe. Mayor Nielson asked if there were any further comments or questions regarding the issue. There being none, he called for a vote on the motion. The motion carried unanimously.

OTHER BUSINESS

Mayor Nielson asked if there were any other comments or items to be discussed. City Manager Jim Allan stated the budget for the 1985-86 fiscal year was nearing completion and asked when the Council would like a budget work session to be scheduled. It was the opinion of the Council that June 12, 1985, at 9:30 a.m. would be the date scheduled for the work session and the Council instructed City Recorder Dorothy Jeffery to advertise a public hearing to be scheduled for June 24, 1985, at 6:00 p.m. for the budget hearing.

BUSINESS LICENSE FOR WAGON WHEEL

Council Member Gayle Bunker asked what the status of the business license for the Wagon Wheel was. City Manager Jim Allen stated that Ray Overhansley has purchased Mike Colburn's share of the Wagon Wheel; therefore, the legal owner of the property has been established and Mr. Overhansley has now met all of the Delta City ordinance requirements to obtain a Class B beer license and to operate a tavern. Therefore, the Wagon Wheel is now open for business.

STREET IMPROVEMENT PROJECT

Council Member Ruth Hansen asked when the street improvement project was going to begin. City Manager Jim Allan said City Engineer John Quick's crew will start placing the stakes on Center Street either Wednesday or Thursday and if the staking is completed by Monday, the actual work will begin either Monday or Tuesday, June 17 or 18.

MADSEN/CHRISTENSEN PROPOSED ANNEXATION

Council Member Don Dafoe asked what the status of the Madsen/Christensen proposed annexation was. Attorney Peterson said he had spoken to Derral Christensen just prior to the meeting and was informed that the issue was going to be presented to the Planning and Zoning Commission again on Wednesday, June 5. This issue has been before Planning and Zoning twice, and both times has been sent back with a request for additional information. Attorney Peterson said a plat has been prepared and Elwin Johnson, a property owner within the proposed annexation area has agreed to sign the

petition for annexation on a conditional basis. Mr. Peterson said it is his responsibility to prepare a petition, but to date the document has not been completed. Mr. Peterson further stated that Derral Christensen, petitioner for the annexation, has stated he would like to have the area annexed by the end of the summer. Mr. Christensen's plans are to install the water and sewer lines and to have a road completed in the project by that date. Council Member Don Dafoe asked Mr. Peterson if those property owners within the proposed annexation area were interested in annexing. Mr. Peterson said it was his opinion that the majority of the property owners were interested.

Mayor Nielson asked if there were any other items to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn the meeting. This motion was SECONDED by Council Member Don Dafoe. The meeting adjourned at 9:45 p.m.


GRANT S. NIELSON, Mayor

Attest: 
DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: June 24, 1985